

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 229 - HB 1112**

February 15, 2017

**SUMMARY OF BILL:** Requires a court to inform a defendant of the firearm dispossession consequences from a domestic violence conviction. Sets forth a procedure for firearm dispossession for persons convicted of domestic violence offenses.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The proposed legislation requires a court to inform a defendant before accepting a guilty plea, before proceeding to trial, whether or not represented by an attorney, or after the defendant is found guilty by a jury. Upon conviction, a defendant must complete a firearms dispossession form.
- The proposed legislation requires the affidavit of firearm dispossession form to be developed by the Domestic Violence State Coordinating Council in consultation with the Administrative Office of the Courts (AOC).
- The AOC states that it and the Domestic Violence State Coordinating Council can amend the existing affidavit form to comply with the proposed legislation and that these changes can be made within existing resources.
- A defendant must transfer possession of any firearms to a third-party who is not prohibited from possession of firearms.
- It is assumed that a defendant will transfer possession to a friend or family member who is not prohibited from possessing such firearms. However, if a defendant does not have a suitable third-party to whom the defendant may transfer possession, then a defendant could seek to transfer possession to a law enforcement agency to house any firearms.
- Local law enforcement contacts indicate that local law enforcement, because of issues of storage, would refuse any such transfer of possession. It is assumed then that a defendant would sell any firearms to another individual or firearms vendor.
- It is assumed that the proposed legislation will not significantly impact any state or local expenditures.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm